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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,109	07/08/2003	Carolyn Easley	4314P2666	1684
23504	7590	09/28/2004	EXAMINER	
WEISS & MOY PC 4204 NORTH BROWN AVENUE SCOTTSDALE, AZ 85251			LEE, Y MY QUACH	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/616,109 Examiner Y Quach Lee	EASLEY, CAROLYN Art Unit 2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 July 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION***Response to Arguments***

1. Applicant's arguments with respect to claims 1 to 10 filed July 1, 2004 have been considered but are moot in view of the new ground(s) of rejection. The proposed drawing corrections filed July 1, 2004 are accepted. Replacement drawing sheet including the corrections is required. Any replacement drawing sheet must be identified in the top margin as "Replacement Sheet" and include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castaldo (3,239,658 prior art previously cited) in view of Ylla.

Castaldo discloses a purse (10) comprising a main storage area (figure 6), a clasp member (figures 1 and 6) having a first end (one end) coupled to one end (the right end) of the storage area and a second end (the opposite end) coupled to a second end (the left end) of the storage area for opening and closing the storage area, a lighting device comprising a power supply (22), a light element (20) coupled to the power supply, a housing (19) located in an interior compartment (figure 6) of the main storage area and which holds the power supply and the light element, a magnetic switch (28) coupled to the clasp member and which automatically causes the lighting device to activate when the clasp member is opened, a first magnetic connector (32, 33) coupled to the first end of the clasp member, and a second magnetic connector (30) coupled to the second end of the clasp member. Castaldo also discloses that the light element and the battery can be changed with a minimum effort (column 3, lines 6 to 8) but does not disclose that the interior compartment having an opening being opened and closed by a zipper for accessing the housing.

Ylla teaches an interior compartment having an opening being opened and closed by a zipper (figure 1) for accessing the light element, the battery and the housing within the interior compartment.

It would have been obvious to one skilled in the art to provide the interior compartment of Castaldo with an opening being opened and closed by a zipper, as shown by Ylla, for accessing the housing to facilitate the replacement of the light element and the battery.

With regards to claims 5 and 6, it should be noted that to have the battery and light element flat would have been an obvious matter of design choice, since such a modification would have involved a mere change in the size and shape of a component, which provides no unusual, unobvious, and/or unexpected result and is therefore deemed to fall within the purview of an ordinary engineering design technique to use a flat battery and a flat bulb for occupying a small volume within the purse by reason of efficient use of space within the purse.

4. Claims 7, 8, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castaldo (3,239,658 prior art previously cited) in view of Branaugh et al. (prior art previously cited) and Ylla.

Castaldo discloses a purse (10) comprising a main storage area (figure 6), a clasp member (figures 1 and 6) having a first end (one end) coupled to one end (the right end) of the storage area and a second end (the opposite end) coupled to a second end (the left end) of the storage area for opening and closing the storage area, a lighting device comprising a power supply (22), a light element (20) coupled to the power supply, a housing (19) located in an interior compartment (figure 6) of the main storage area and which holds the power supply and the light element, a magnetic switch (28) coupled to the clasp member and which automatically causes the lighting device to activate when the clasp member is opened, a first magnetic connector (32, 33) coupled to the first end of the clasp member, and a second magnetic connector (30) coupled to the second end of the clasp member. Castaldo also discloses that the light element and the battery can be changed with a minimum effort (column 3, lines 6 to 8) but does not disclose that the interior compartment having an opening being opened and closed by a zipper for accessing the housing and a plurality of compartment areas coupled to the main storage area.

Branaugh et al. teach a plurality of compartment areas (column 2, lines 58 to 61 and column 3, lines 55 to 58) coupled to the main storage area within the purse to retain different objects.

Ylla teaches an interior compartment having an opening being opened and closed by a zipper (figure 1) for accessing the light element, the battery and the housing within the interior compartment.

It would have been obvious to one skilled in the art to provide the main storage area of Castaldo with a plurality of compartment areas, as shown by Branaugh et al., for organizing and retaining different objects.

It would have been obvious to one skilled in the art to provide the interior compartment of Castaldo with an opening being opened and closed by a zipper, as shown by Ylla, for accessing the housing to facilitate the replacement of the light element and the battery.

With regards to claim 8, Castaldo discloses a single strap (figure 1) coupled to the main storage area for allowing the user to carry the purse as opposed to carrying straps as claimed.

Branaugh et al. teach carrying straps (54) coupled to the main storage area for allowing the user to carry the purse.

It would have been obvious to one skilled in the art to provide the main storage area of Castaldo with carrying straps, as shown by Branaugh et al., for allowing the user to securely carry the purse.

With regards to claims 9 and 10, it should be noted that to have the battery and light element flat would have been an obvious matter of design choice, since such a modification would have involved a mere change in the size and shape of a component, which provides no unusual, unobvious, and/or unexpected result and is therefore deemed to fall within the purview of an ordinary engineering design technique to use a flat battery and a flat bulb for occupying a small volume within the purse by reason of efficient use of space within the purse.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castaldo (3,239,658 prior art previously cited) in view of Ylla, as applied to claim 1, and further in view of Branaugh et al. (prior art cited by applicant).

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Castaldo, as modified by Ylla, discloses a single strap (figure 1) coupled to the main storage area for allowing the user to carry the purse as opposed to carrying straps as claimed.

Branaugh et al. teach carrying straps (54) coupled to the main storage area for allowing the user to carry the purse.

It would have been obvious to one skilled in the art to provide the main storage area of Castaldo with carrying straps, as shown by Branaugh et al., for allowing the user to securely carry the purse.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castaldo (3,239,658 prior art previously cited) in view of Ylla, as applied to claim 1, and further in view of Branaugh et al. (prior art cited by applicant).

Castaldo, as modified by Ylla, discloses the invention substantially as claimed with the exception of having a plurality of compartment areas coupled to the main storage area.

Branaugh et al. teach a plurality of compartment areas (column 2, lines 58 to 61 and column 3, lines 55 to 58) coupled to the main storage area within the purse to retain different objects.

It would have been obvious to one skilled in the art to provide the main storage area of Castaldo with a plurality of compartment areas, as shown by Branaugh et al., for organizing and retaining different objects.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.
September 23, 2004


Y Quach Lee
Patent Examiner
Art Unit 2875